

Appl. No. 10/719,786
Docket No. 9431
Amdt. dated 26 November 2007
Reply to Office Action mailed on 22 August 2007
Customer No. 27752

REMARKS

Claim Status

Claims 5-7, 9-11, 13 and 18-20 are pending in the present application. Applicant's attorney would like to thank the Examiner for the telephonic interview of 23 October 2007; during which the 35 U.S.C. §102 rejection based on Schoelling was discussed.

Claim 13 has been amended to add the language, "discretely spaced individual [depressions]..." Support for this amendment is shown in Fig. 2. Claim 13 has also been amended to remove the words – rectangles, triangles, spirally shaped, and quadrilaterals.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 U.S.C. §102(b) Over WO 2004/028428 (Schoelling)

Claims 5-7, 9-11, 13 and 18-20 have been rejected under 35 U.S.C. §102(b) as being anticipated by Schoelling.

Applicant respectfully traverses the rejection. Claim 13 comprises a first surface area, wherein the first surface area comprises discretely spaced individual depressions having at least one shape. In contrast, the continuous longitudinal grooves of the tampon disclosed in Schoelling span the entire length of the tampon.

Accordingly, Applicant submits that claims 5-7, 9-11, 13, and 18-20 are novel in view of Schoelling.

Rejection Under 35 U.S.C. §102(f) Over WO 2004/028428 (Schoelling)

Claims 5-7, 9-11, 13 and 18-20 have been rejected under 35 U.S.C. §102(f) as the Office Action states the Applicant did not invent the claimed subject matter.

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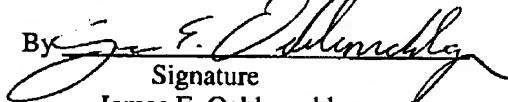
Accordingly, Applicant submits that Schoelling does not teach every substantive element of claims 5-7, 9-11, 13, and 18-20.

Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied reference. In view of the foregoing, entry of the amendments presented herein, reconsideration of this application, and allowance of the pending claims are respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By 
Signature
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Date: 26 November 2007
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